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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

FABRIENNE ENGLISH, on behalf of herself )  
and all others similarly situated, )

Plaintiffs, )

v. )

APPLE INC., APPLECARE SERVICE )  
COMPANY, INC., and APPLE CSC INC., )

Defendants. )

Case No. 3:14-cv-01619-WHO

**NOTICE OF RELATED CASE  
PURSUANT TO CIVIL L.R. 3-12 TO BE  
FILED IN CASE NO. 3:14-cv-01619-  
WHO; ADMINISTRATIVE MOTION  
TO CONSIDER WHETHER CASES  
SHOULD BE RELATED, PURSUANT  
TO CIVIL L.R. 7-11**

Judge: William H. Orrick  
Courtroom: 2, 17th Floor

Complaint Filed: November 4, 2013  
Transfer to N.D. Cal.: April 3, 2014  
Trial Date: August 15, 2016

Notice of Related Case; Administrative Motion to Consider Whether Cases Related  
3:14-cv-01619-WHO

1 Plaintiff Fabrienne English, on behalf of herself and others similarly situated (hereinafter  
2 “Plaintiff”), hereby respectfully submit this Notice of Related Case, Pursuant to Civil L.R. 3-12 and  
3 the required Administrative Motion to Consider Whether Cases Should be Related, Pursuant to Civil L.  
4 R. 7-11.

5 **I. APPLICABLE STANDARD UNDER CIVIL L.R. 3-12**

6 Under Civil Local Rule 3-12, an “action is related to another when: (1) the actions concern  
7 substantially the same parties, property, transaction or event, and (2) it appears likely that there will be  
8 an unduly burdensome duplication of labor and expense or conflicting results if the cases are  
9 conducted before different Judges.” Civil L.R. 3-12(a).

10 Whenever a party knows or believes that an action may be related to an action which is or was  
11 pending in the Northern District, said party “must promptly file in the earliest-filed case an  
12 Administrative Motion to Consider Whether Cases Should be Related, pursuant to Civil L.R. 7-11.”<sup>1</sup>  
13 Civil L.R. 3-12(b). That motion must include: “(1) The title and case number of each apparently  
14 related case; (2) A brief statement of the relationship of the actions according to the criteria set forth in  
15 Civil L.R. 3-12(a).”

16 **II. MCRIGHT v APPLE, INC. ET AL IS RELATED TO ENGLISH v APPLE, INC. ET AL**

17 The English v. Apple, Inc. et al case was transferred to this Court on April 3, 2014.  
18 Subsequently, the McRight v. Apple, Inc. et al case (Case No. 3:15-cv-03330) was filed in this Court  
19 on July 18, 2015. These cases involve the exact same transactions and events (i.e. the purchase of  
20 electronic devices and AppleCare and AppleCare+ by consumers from Apple, Inc., and the  
21 replacement of those devices pursuant to AppleCare and AppleCare+), identical defendants,  
22 allegations based on these transactions and events, and similar proposed classes of plaintiffs.  
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25 <sup>1</sup> “In addition to complying with Civil L.R. 7-11, a copy of the motion, together with proof of  
26 service pursuant to Civil L.R. 5-6, must be served on all known parties to each apparently related  
27 action. A Chambers copy of the motion must be lodged with the assigned Judge in each apparently  
28 related case under Civil L.R. 5-1(b).” Civil L.R. 3-12(b).

1 Accordingly, there will be unduly burdensome duplication of labor and expense and there will  
2 be a risk of conflicting results if McRight v. Apple, Inc., et al is not related to English v. Apple, Inc., et  
3 al and assigned to Judge Orrick.

4 **III. CONCLUSION**

5 The actions referred to above satisfy the criteria of Rule 3-12. Therefore Plaintiff respectfully  
6 requests that the cases be deemed related.

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8 Dated: July 19, 2015

Respectfully submitted,

9  
10 /s/ Renee Kennedy

Renee Kennedy

11 Lead Counsel

12 **Attorneys for Plaintiff**

13 **Fabienne English**  
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